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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,714	02/05/2002	Haim Ben-Ari	UTL 00123	1951

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Kyocera Wireless Corp.
Attn: Patent Department
P.O. Box 928289
San Diego, CA 92192-8289

EXAMINER

KIM, WESLEY LEO

ART UNIT	PAPER NUMBER
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2688

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/072,714	BEN-ARI, HAIM	
	Examiner	Art Unit	
	Wesley L. Kim	2688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-12,14 and 16-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-12,14 and 16-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2002 and 20 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 1 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
2. Claim 1 recites the limitation "; wherein displaying the reference axis includes " in lines 2-3. There is insufficient antecedent basis for this limitation in the claim. For the purposes of examination the examiner will assume that the phrase was meant to be "and a reference axis, which includes:"

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1,5,6,11-12,16-17, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama et al (U.S. Patent 6430498 B1) in view of Ghaem et al (U.S. Patent 5146231).

Regarding Claims 1 and 12, Maruyama teaches a mobile wireless communications device including a display screen (Fig.1, mobiles have display), a method for presenting a direction (Col.5:25-29 and Fig.1, mobiles present a

direction), the method comprising: determining the magnetic bearing of the wireless communications device (Col.5;51-53, magnetic bearing, i.e. location, of device is determined and displayed); and presenting a direction responsive to the magnetic bearing (Fig.3;21, presents direction responsive to bearing, i.e. location) however Maruyama **is silent on** the mobile wireless communication device having a screen axis and a reference axis, which includes: fixedly aligning the reference axis with the screen axis; and, supplying a direction readout of the reference axis responsive to the rotation of the screen axis, wherein determining the magnetic bearing of the wireless communications device includes selecting a reference axis having a predetermined relationship to the magnetic bearing; and, wherein presenting a direction responsive to the magnetic bearing includes displaying the reference axis.

Ghaem teaches a mobile electronic device having a screen axis (Fig.1;18 and Col.3;42-49) and reference axis (Fig.1;21 and Fig.1;22), which includes: fixedly aligning the reference axis with the screen axis (Col.3;29-33, screen axis is fixedly aligned with a predetermined compass heading true north, i.e. reference axis 21); and, supplying a direction readout of the reference axis responsive to the rotation of the screen axis (Col.6;35-48, angle A is displayed on display 14), wherein determining the magnetic bearing of the wireless communications device includes selecting a reference axis having a predetermined relationship to the magnetic bearing (Fig.1;21 and Fig.1;22, the N-S, E-W lines are chosen as the reference axes and it is obvious that those reference axes have a predetermined relationship to the magnetic bearing of any object located on the planet); and, wherein presenting a

direction responsive to the magnetic bearing includes displaying the reference axis (Fig.1;19, direction responsive to bearing; Fig.1;21 and Fig.22 are the reference axes).

To one of ordinary skill in the art, it would have been obvious to modify Maruyama with Ghaem, since they are from similar search areas, viz. presenting a direction based on the current location in a mobile electronic device, such that the mobile wireless communication device has a screen axis and a reference axis, which includes: fixedly aligning the reference axis with the screen axis; and, supplying a direction readout of the reference axis responsive to the rotation of the screen axis, wherein determining the magnetic bearing of the wireless communications device includes selecting a reference axis having a predetermined relationship to the magnetic bearing; and, wherein presenting a direction responsive to the magnetic bearing includes displaying the reference axis, to provide a method of always pointing the user in the direction of the destination and providing other navigational information that the user may find useful to reach a destination.

Regarding Claims 5 and 16, the combination as discussed above teaches all the limitations as recited in claims 1 and 12, respectively, and Maruyama further teaches receiving global positioning system (GPS) location information (Col.4;6-10); selecting a landmark having a predetermined location (Col.6;66-Col.7;3 and Col.3;24-25); using the GPS information to locate the wireless device (Col.4;6-10); and, generating a reference axis between the wireless communications device

location and the landmark location (Col.5;25-29, Fig.1; arrow, i.e. reference axis, points to destination from the wireless device location).

Regarding Claims 6 and 17, the combination as discussed above teaches all the limitations as recited in claims 1 and 12, respectively, and Maruyama further teaches receiving global positioning system (GPS) location information (Col.4;6-10); receiving map information (Col.1;32-37, it is known map information can be received/downloaded); and, wherein displaying the reference axis includes creating and displaying a map display responsive to the map information (Col.1;35-37, it is possible to show the users present place on a map which was received), showing the wireless communications device location on the map (Col.1;35-37 and Col.6;57-61, the black dot represents the location of the wireless device).

Regarding Claims 11 and 22, the combination as discussed above teaches all the limitations as recited in claims 1 and 12, respectively, and Ghaem further teaches the magnetic bearing of the wireless communications device includes correcting the magnetic bearing with respect to true North (Col.3;30-33).

2. Claims 3 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama et al (U.S. Patent 6430498 B1) and Ghaem et al (U.S. Patent 5146231) in further view of Farine (U.S. Patent 6185157 B1).

Regarding Claim 3 and 14, Maruyama and Ghaem teach all the limitations as recited in claims 1 and 12, respectively, however the combination **is silent on** the reference axis points to magnetic North.

Farine teach that it is well known in the art to use a reference axis which points to magnetic north to determine a target destination from a source location (Col.1:1-17).

To one of ordinary skill in the art, it would have been obvious to modify Maruyama and Ghaem with Farine, since they deal with providing a direction from the current location of the GPS receiver to a target destination, such that the reference axis points to magnetic North, to provide a reference point when a person is navigating unknown terrain so as to not get lost.

3. Claims 7-8 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama et al (U.S. Patent 6430498 B1) and Ghaem et al (U.S. Patent 5146231) in further view of Johnson (U.S. Patent 6366856 B1).

Regarding Claims 7 and 18, Maruyama and Ghaem teach all the limitations as recited in claims 6 and 17, respectively, and Ghaem further teaches the wireless communications device includes a display screen with a screen axis (Fig.1:20, display screen, Fig.1:18, screen axis); wherein displaying the reference axis includes: fixedly aligning the reference axis with the screen axis (Col.3:29-33, screen axis is fixedly aligned with a predetermined compass heading true north, i.e. reference axis 21) and Maruyama teaches rotating the arrow so it always points to the destination no matter what direction the user turns (Col.5:25-29) however the combination **is silent on** rotating the map display in response to the rotation of the screen axis.

Ghaem teaches of a screen axis 18, and if desired a permanent indication of the axis can be applied to the housing but it doesn't have to be present (Col.3;43-49). To one of ordinary skill in the art, it is inherent that there exists a screen axis.

Johnson teaches rotating a map display in response to the rotation of the mobile phone (i.e. rectangular phone) (Fig.2A-D, map rotates as user turns).

To one of ordinary skill in the art, it would have been obvious to modify, Maruyama and Ghaem with Johnson, since they are from similar search areas, viz. presenting a map based on the current location in a mobile electronic device, such that the map display is rotated in response to the rotation of the screen axis, to provide a method of orienting the map in such a way that what is directly in front of the user will be on the top of the display, thus a more intimate interactive relationship is improved and the map more readily beneficial to the user.

Regarding Claims 8 and 19, the combination as discussed above teaches all the limitations as recited in claims 7 and 18, respectively, and Ghaem further teaches displaying the reference axis includes displaying the magnetic bearing of the reference axis (Fig.1;21, the magnetic bearing of the reference axis (i.e. direction the reference axis points to) is clearly seen (i.e. displayed)).

4. Claims 9-10 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama et al (U.S. Patent 6430498 B1) and Ghaem et al (U.S. Patent 5146231) in further view of Atsushi (JP 10-133568) and Irie et al (U.S. Pub 2001/0007090 A1).

Regarding Claims 9-10 and 20-21, Maruyama and Ghaem teach all the limitations as recited in claims 6 and 17, respectively, and Ghaem further teaches the wireless communications device includes a display screen with a screen axis (Fig.1;20, display screen, Fig.1;18, screen axis); wherein displaying the reference axis includes: fixedly aligning the reference axis with the screen axis (Col.3;29-33, screen axis is fixedly aligned with a predetermined compass heading true north, i.e. reference axis 21), however the combination **is silent on** displaying the magnetic bearing of the screen axis.

Ghaem teaches of a screen axis 18, and if desired a permanent indication of the axis can be applied to the housing but it doesn't have to be present (Col.3;43-49). To one of ordinary skill in the art, it is inherent that there exists a screen axis.

Atsushi teaches that the map of a navigation system rotates as its screen axis turns (i.e. monitor turns).

Irie teaches displaying the magnetic bearing of the screen axis (Fig.7;212 and Par.81;7-8, bearing mark of the map 212). To the examiner it is obvious that the car (i.e. screen axis) is traveling north, therefore the bearing mark displays an icon pointing North (Fig.7;212). If the car were to turn (i.e. monitor turns) the map would reorient itself such that the top of the display shows what is directly in front of the vehicle and so the bearing mark icon would also adjust to display a bearing representative of the screen axis. Although Shibuya and Irie deal with displaying maps for navigation in a vehicle, one of ordinary skill in the art would find it obvious to apply the navigational aspects (i.e. rotating map and icon displaying bearing of

screen axis) of Shibuya and Irie (i.e. navigation device in a car) into another navigational electronic device (i.e. navigation in a mobile communications device).

To one of ordinary skill in the art it would have been obvious to modify, Maruyama and Ghaem with Shibuya and Irie, such that the magnetic bearing of the screen axis is displayed, to provide the user with an idea of which direction they are moving with respect to the reference axis.

Response to Amendment

This Office Action is in response to Amendment filed on 10/11/05.

- Claims 2,4,13, and 15 are cancelled.
- Claims 1,3,5-6,12,14, and 16-17 are currently amended.
- Claims 7-11 and 18-22 are in their original form.
- Claims 1,3,5-12,14, and 16-22 are pending in the current office action.

Response to Arguments

Applicant's arguments with respect to claim 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wesley L. Kim whose telephone number is 571-272-7867. The examiner can normally be reached on Monday-Friday 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2688

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WLK


GEORGE ENG
PRIMARY EXAMINER